

USET Resolution No. 2004:012

**ILLEGAL EFFORTS BY CERTAIN INDIAN NATIONS TO EXERCISE GOVERNMENTAL JURISDICTION  
OVER NON-TRIBAL LANDS**

- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) federally recognized tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member tribe, as the Board of Directors comprises delegates from the member tribes' leadership; and
- WHEREAS,** the Seneca-Cayuga Tribe of Oklahoma is seeking to conduct Class II gaming activities in the State of New York; and
- WHEREAS,** the Seneca-Cayuga Tribe of Oklahoma has no political or governmental authority in the State of New York; and
- WHEREAS,** the Seneca-Cayuga Tribe of Oklahoma has no land in the State of New York over which it can legally exercise any jurisdiction; and
- WHEREAS,** the introduction of Class II gaming activities by the Seneca-Cayuga Tribe of Oklahoma in the State of New York would be illegal and would violate the rights and jurisdiction of the Cayuga Nation of New York; and
- WHEREAS,** other out-of-state Indian nations have expressed their intent to purchase land in New York and in other states, take such land into trust, and assert the right to govern that land and conduct gaming thereon; and
- WHEREAS,** several Alaskan Native Villages and entities wish to acquire the right to purchase land in California, take such land into trust, and assert the right to govern that land or conduct commercial activities thereon; and
- WHEREAS,** Governor George Pataki, Senator Charles Schumer and Congressman Sherwood Boehlert intend to introduce legislation in Congress that would prohibit an Indian nation from acquiring land in a state other than the state where its reservation is located *unless* such land is taken into trust with the state's approval; and
- WHEREAS,** the exception created in the Pataki-Schumer-Boehlert proposal is contrary to existing federal law concerning the scope of a tribe's governmental authority and would invite numerous Indian nations to file out-of-state trust land applications, thereby creating conflicts among tribes and with state and local governments; therefore, be it
- RESOLVED** that the USET Board of Directors opposes all legislative proposals that would permit the Seneca-Cayuga Tribe of Oklahoma or any other out-of-state Indian Nation to acquire land or place land in trust in the State of New York for purposes of governing such land or conducting gaming thereon; and, be it further
- RESOLVED** that the USET Board of Directors opposes any legislative proposal that would permit Alaskan Native Villages and entities to acquire land or take land into trust in California, or in any state other than Alaska, for purposes of governing such land or conducting gaming thereon.

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**CERTIFICATION**

This resolution was duly passed at the USET Annual Meeting and EXPO at which a quorum was present in Mashantucket, CT, on Thursday, October 23, 2003.

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Keller George, President  
United South and Eastern Tribes, Inc.

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Beverly M. Wright, Secretary  
United South and Eastern Tribes, Inc.